

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 3042

Fabio FRANCESCHI

Group Art Unit: 1794

Application No.: 10/512,078

Examiner: Viren A. THAKUR

Filed: November 5, 2004

Attorney Docket No.: 023349-00298

For: A CAPSULE TO BE USED TO PREPARE AN INFUSED BEVERAGE

**AMENDMENT UNDER 37 C.F.R. § 1.116**

**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

February 4, 2009

Sir:

Responsive to the Official Action of November 4, 2008, kindly enter the following amendments and consider the following remarks:

**Amendments to the Claims** begin on page 2.

**Remarks** begin on page 7.